

REMARKS

Claims 1-3, 5-11, 15 and 19-26 are now present in the application. Claims 1, 5, 6, 15, 19 and 20 have been amended. Claims 1, 19 and 20 are independent. The specification has been amended. Reconsideration of this application, as amended, is respectfully requested.

Objection to the Disclosure

The disclosure stands objected to for several minor informalities. First, the Examiner asserts that the disclosure does not comply with 35 U.S.C. § 112, first paragraph. As the Examiner will note, the specification has been carefully reviewed taking into consideration the specific deficiencies pointed out by the Examiner. Page 3, line 22 has been amended for clarification only. With regard to page 5, the amendment to the paragraph beginning on line 5, at line 1, Applicants have been unable to determine the unclear portion of this line. Accordingly, if the Examiner has a suggested amendment, it would be greatly appreciated.

With regard to the Summary of the Invention, the Examiner asserts that the description of the claimed invention is not consistent in scope with claims 2-3, 5-11, 15 and 20-26. At the outset, it is respectfully pointed out that the description in the Summary of the Invention section is narrower than the above mentioned claims and therefore is not inconsistent in scope. Merely providing the Summary of the Invention section broader than the claims does not make the

Summary of the Invention section inconsistent. However, if the Examiner would prefer that Applicants rewrite the Summary of the Invention section to include the current claim language, Applicants would be happy to do so. However, it is requested that these amendments be held in abeyance until the claims in the application are indicated as being allowable by the Examiner.

In addition, it is pointed out that the Examiner has not included independent claims 1 and 19 in the Examiner's objection, but has included independent claim 20. It is respectfully requested that the Examiner explain why claims 1 and 19 are consistent in scope with the Summary of the Invention section, but claim 20 is not.

Drawing Objections

The drawings stand objected to under 37 C.F.R. § 1.83(a) since not illustrating every feature of the invention specified in the claims. Specifically, the Examiner asserts that claims 3, 5, 7, 15, 20, 22, 23 and 26 recite features which were not specified in the claims. Applicants respectfully submit that the drawings are in proper form. For example, claim 3 is clearly illustrated in at least Fig. 3. In addition, claims 5, 15, 20, 22, 23 and 26 are clearly illustrated in the figures of the present invention. Accordingly, it is respectfully requested that the Examiner explain what aspects of these claims the Examiner considers to be missing from the figures so that the Applicants can address the Examiner's rejection.

With regard to claim 7, this claim is directed to generally the materials that go into construction of the absorbent sheet which are not easily capable of being shown in the drawings. In addition, Applicants do not believe that drawings are necessary for claim 7, since they are not required for understanding of the subject matter of the claims. See 35 U.S.C. § 113. One having ordinary skill in the art would readily be able to determine the subject matter of dependent claim 7 without reference to a drawing. Dependent claim 7 merely requires three layers of material, which would be identified by three layers with reference numerals identifying each of the layers with reference in the specification. Applicants do not believe that a figure of this type would add anything whatsoever to the extent of the disclosure of the present invention. Accordingly, Applicants do not wish to add any figures to the present application.

In view of the above, it is respectfully requested that the drawing objections be reconsidered and withdrawn.

Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 5, 7, 15, 20, 22, 23 and 26 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. This rejection is respectfully traversed.

The Examiner questions where there is support, as originally filed, for the combination of structure and the projection portion as now set forth. The Examiner is directed to page 17, line 19 through page 18, line 21, which describes the embodiment of Fig. 8 of the present invention. In this portion of the specification, the projecting portion 80 is clearly described. The Examiner is also directed to page 23, line 11 through page 24, line 18 and Fig. 14 of the present invention, which clearly describes the projecting portion 80'.

In view of the above remarks, Applicants respectfully submit that the specification sufficiently describes claims 5, 7, 15, 20, 22, 23 and 26. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph are respectfully requested.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1, 8, 10, 15 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Runeman et al., USPN 5,342,337. Claims 1-3, 8-11, 15 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Roessler et al., USPN 5,405,342. Claims 1, 2, 8-11, 15 and 19-26 stand rejected under 35 U.S.C. § 102(a) as being anticipated by May, USPN 5,578,025. Claims 1, 3, 8-11, 15, 21 and 24 stand rejected under 35 U.S.C. § 102(b) as anticipated by Yoshimura et al., JP 3-123553. Claims 2, 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura et al. '553 in view of Canadian International, GB 1,164,492. Claim 7 stand rejected under 35 U.S.C. §

103(a) as being unpatentable over Yoshimura et al. '553 and Canadian International as applied to claim 5 above, and further in view of Roessler et al., Molnycke, WO 91/09582 and P&G, EP 0 219 326. These rejections are respectfully traversed.

The present invention is directed to an absorbent article, wherein a combination of elements are recited in including "an opposing pair of barrier cuffs which are within longitudinal edges of said top layer," "a pocket portion" and "a projecting portion located between said barrier cuffs on a skin contactable surface side of said pocket portion along the longitudinal direction of said barrier cuffs." Furthermore, the pair of barrier cuffs is formed by integrally folding a single absorbent sheet and said top layer. All of independent claims 1, 19 and 20 require these aspects of the present invention.

With the construction according to the present invention, due to the barrier cuffs, body fluid is prevented from flowing out of the pocket portion. Furthermore, the projecting portion more effectively prevents this from occurring. Furthermore, since a central portion of the article is rigidly increased by the projecting portion, twisting can be prevented. Applicants respectfully submit that the references relied on by the Examiner fail to teach the structure recited by the present invention and therefore cannot accomplish the above advantages of the present invention.

In particular, Runeman et al. is directed to a disposable absorbent article which includes an absorbent pad 3 which comprises an outer layer and an inner

layer arranged on the outer layer. The inner layer includes a hose-like body 5 and two side-body 6. The side-bodies 6 are arranged at the lateral sides of the hose-like body 5. Referring to Fig. 2 of Runeman et al., the side-bodies 6, which the Examiner considers to be the claimed barrier cuffs of the present invention, are not “formed by integrally folding a single absorbent sheet and said top layer” as required by the independent claims of the present invention. Accordingly, this reference fails to anticipate independent claim 1 of the present invention.

With regard to the Roessler et al. reference, the Examiner considers the secondary absorbent body 44 to be the opposing pair of barrier cuffs. Since the absorbent body 44 of Roessler et al. is not “formed by integrally folding a single absorbent sheet and said top layer” Applicants respectfully submit that this reference also fails to teach amended independent claim 1 of the present invention.

With regard to the May reference relied on by the Examiner, the Examiner considers the barrier cuffs to be the stabilizer members 336. As the Examiner will note, the independent claims have been amended to recite “a liquid retentive absorbent member, interposed entirely between said top layer and said back layer.” Since the stabilizer member 336 of May is located on a top portion of the topsheet 28, Applicants respectfully submit that the May reference fails to anticipate any of the amended claims of the present invention.

With regard to the Yoshimura et al. JP '553 reference, Applicants respectfully submit that this reference also defines over independent claim 1 of

the present invention. Referring to Fig. 10 of Yoshimura et al. JP '553 reference, the barrier cuffs are not formed by a single absorbent sheet, but are formed by two separate pieces of material which are separated from each other and which include the primary liquid absorbent layer 3 located therebetween. Accordingly, Applicants respectfully submit that the Yoshimura et al. JP '553 reference fails to teach barrier cuffs being formed by integrally folding "a single absorbent sheet and said top layer" as required by independent claim 1. Accordingly, the Yoshimura et al. JP '553 reference fails to anticipate independent claim 1 of the present invention.

With regard to dependent claims 2, 3, 5-11, 15 and 21-26, Applicants respectfully submit that these claims are allowable due to their dependence upon allowable independent claims 1, 19 and 20, as well as for the additional limitations recited by claims.

With specific regard to dependent claims 2 and 5-7, the Examiner relies on the Canadian International reference and/or the Roessler et al., Molynecke and P&G references. However, none of these references provide a teaching to form barrier cuffs by "integrally folding a single absorbent sheet and said top layer" or interposing a liquid retentive absorbent member "entirely" between said top layer and said back layer as required by the independent claims of the present invention. Accordingly, these references fail to make up for the deficiencies of Runeman et al., Roessler et al., May and Yoshimura et al., JP '553. With specific regard to Figs. 8 and 14 of the present invention, Applicants respectfully submit

that these embodiments are exemplified by independent claims 1, 19 and 20. Specifically, Figs. 8 and 14 of the present invention include a liquid retentive absorbent member interposed entirely between a top layer and a back layer and a pair of barrier cuffs formed by integrally folding a single absorbent sheet and the top layer and a pocket portion formed between the pair of barrier cuffs.

As mentioned above, Applicants do not believe that any of the references relied on by the Examiner teach the constructions according to Figs. 8 and 14 of the present invention as defined by independent claims 1, 19 and 20 and dependent claims 2, 3, 5-11, 15 and 21-26. Accordingly, Applicants respectfully submit that all of the pending claims clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

CONCLUSION

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the art, no further comments are deemed necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Version with Markings to Show Changes Made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

The paragraph beginning on page 3, line 21, has been amended as follows:

Fig. 14 is a sectional view, corresponding to Fig. 2 of the first embodiment, showing an absorbent article according to [other] another embodiment of the present invention.

IN THE CLAIMS

The claims have been amended as follows:

1. (TWICE AMENDED) An absorbent article comprising:

a liquid-permeable top layer;

a liquid-impermeable back layer;

a liquid retentive absorbent member, interposed entirely between said top layer and said back layer, said absorbent member being arranged to form (a) an opposing pair of barrier cuffs which are within longitudinal edges of said top layer and extend along the longitudinal edges, said pair of barrier cuffs being formed by integrally folding a single absorbent sheet and said top layer, and (b) a pocket portion formed between said pair of barrier cuffs; and

a projecting portion located between said barrier cuffs on a skin contactable surface side of said pocket portion along the longitudinal direction of said barrier cuffs.

5. (AMENDED) The absorbent article according to claim 1, wherein said absorbent sheet has a thickness of 0.3 mm to 5 mm, and an almost entire surface of said absorbent sheet is overlaid with said top layer[, and said absorbent sheet and said top layer are folded integrally].

6. (AMENDED) The absorbent article according to claim 1, wherein said [absorbent member includes an] absorbent sheet [having] has a thickness of 0.3 mm to 5 mm; and

said absorbent sheet of said barrier cuffs is folded in an overlapping, serpentine configuration.

15. (AMENDED) The absorbent article of claim 1, wherein said [absorbent member includes an] absorbent sheet [supporting] supports an absorbent pad, said absorbent pad is disposed between said barrier cuffs, said absorbent sheet is disposed between said absorbent pad and said back layer.

19. (TWICE AMENDED) An absorbent article comprising:
a first liquid-permeable top layer;
a liquid impermeable back layer;
a first liquid retentive absorbent member interposed entirely between said first liquid-permeable top layer and said liquid impermeable back layer;
a second liquid-permeable top layer;

a second liquid retentive absorbent member interposed between said second liquid-permeable top layer and said first liquid-permeable top layer, said second liquid retentive absorbent member including an opposing pair of barrier cuffs which are within longitudinal edges of said first [liquid-retentive] liquid-permeable top layer and extend along longitudinal edges of said first liquid-permeable top layer, said pair of barrier cuffs being formed by integrally folding a single absorbent sheet and said second liquid permeable top sheet, and a pocket portion formed between said pair of barrier cuffs; and

a projecting portion located between said barrier cuffs on a skin contactable surface side of said pocket portion along the longitudinal direction of said barrier cuffs.

20. (TWICE AMENDED) An absorbent article comprising:

a first liquid-permeable top layer;

a liquid impermeable back layer;

a first liquid retentive absorbent member interposed entirely between said first liquid-permeable top layer and said liquid impermeable back layer;

a second liquid-permeable top layer;

a second liquid retentive absorbent member enclosed by said second liquid-permeable top layer, said second liquid retentive absorbent member includes a single planar pad and an auxiliary pad, said second liquid retentive absorbent member including an opposing pair of barrier cuffs which are within

longitudinal edges of said first [liquid retentive] liquid-permeable top layer and extend along longitudinal edges of said first liquid-permeable top layer, said pair of barrier cuffs being formed by integrally folding said single planar pad and said second liquid-permeable top sheet, and a pocket portion formed between said pair of barrier cuffs;

means for securing said second top liquid-permeable layer to said first liquid-permeable top layer; and

a projecting portion located between said barrier cuffs on a skin contactable surface side of said pocket portion along the longitudinal direction of said barrier cuffs.